

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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Timothy Johnson,

Petitioner,

19 **CIVIL** 516 (AJN)

-against-

JUDGMENT

Christopher Miller,

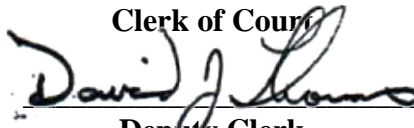
Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated October 18, 2021, finding no error in the report and recommendation, the Court hereby **ORDERS** that the report and recommendation is adopted in full, and Johnson's objections are overruled. The Court therefore **DENIES** Johnson's § 2254 motion. Because Johnson has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. *See* 28 U.S.C. § 2253. Additionally, this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, so *in forma pauperis* status is denied. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962); accordingly, the case is closed.

DATED: New York, New York
October 12, 2021

RUBY J. KRAJICK

BY: 
Clerk of Court
Deputy Clerk